

AMENDED CLAIMS

CLEAN VERSION

AMENDMENTS

AMENDMENTS TO THE CLAIMS

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Applicant respectfully requests cancellation of claim 58 and entry of all other amended claims. Attached to this Preliminary Amendment, Applicant provides the amended claims in both clean and marked-up versions as required under 37 CFR § 1.121(c). Applicant asserts that no new matter is added to the application by these amended claims; instead, the amended claims more definitely state what Applicant regards as his invention.

AMENDMENTS TO THE SPECIFICATION

Applicant respectfully requests replacement of the existing specification and entry of a substitute specification. Attached to this Preliminary Amendment, Applicant provides the substitute specification in both clean and marked-up versions as permitted under 37 CFR § 1.121(b)(3). The amendments to the specification add explicit support for claims 38 and 39, and thereby help to better define what Applicant regards as his invention.

During a telephone conference on September 28, 2001, Examiner Fischer suggested use of MPEP 2163.07a, which recognizes that an application may later be amended to recite an inherent function, theory, or advantage without introducing prohibited new matter. Applicant believes that the application was sufficiently explicit to support the invention without any more amendments to the application. At a minimum, however, Applicant agrees that MPEP 2163.07a (i.e., inherency) supports Applicant's right to amend the specification.

On a final note, Mr. Fischer agreed during the same telephone conference that if the amendments are as Applicant's Attorney represented them, then Mr. Fischer would see no need

for further examination or continuation merely on that ground alone. Accordingly, Applicant respectfully requests entry of the substitute specification.

ADDITIONAL DRAWINGS

Applicant respectfully requests entry of two additional drawings, namely Figures 6a and 6b, which are attached to this Preliminary Amendment. The drawings provide explicit support for claims 38 and 39, and thereby help to better define what Applicant regards as his invention.

During a telephone conference on September 28, 2001, Examiner Fischer suggested that MPEP 2163.07a recognizes that an application may later be amended to recite an inherent function, theory, or advantage without introducing prohibited new matter. Applicant believes that the application was sufficiently explicit to support the invention without any more amendments to the application. At a minimum, however, Applicant agrees that MPEP 2163.07a (i.e., inherency) supports Applicant's right to add the additional drawings to provide more explicit support for what Applicant regards as his invention.

On a final note, Mr. Fischer agreed during the same telephone conference that if the amendments are as Applicant's Attorney represented them, then Mr. Fischer would see no need for further examination or continuation merely on that ground alone. Accordingly, Applicant respectfully requests entry of the additional drawings.